

§ 205.4

(c) After a decision has been rendered by the Maritime Administrator, the appellant will be notified accordingly, in writing.

§ 205.4 Finality of decisions.

A decision of the Maritime Administrator shall be final on all questions of fact involved in the appeal, unless determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary, so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence.

CONTRACTS WITH DISPUTES ARTICLE

§ 205.5 Contracts containing disputes article.

Where the contract contains a disputes article the contractor may dispute audit findings, interpretations, or decisions made by the Maritime Administration pursuant to the provisions of said contract and the decision on such dispute and any appeal therefrom shall be governed by the terms of the disputes article of the contract.

PART 207—STATISTICAL DATA FOR USE IN OPERATING-DIFFERENTIAL SUBSIDY APPLICATION HEARINGS

Sec.

207.1 Purpose.

207.2 Basic statistical data.

207.3 Procedures.

46 CFR Ch. II (10–1–98 Edition)

AUTHORITY: Sec. 204(b), Merchant Marine Act, 1936, as amended (46 U.S.C. 1114), Reorganization Plans No. 21 of 1950 (64 Stat. 1273) and No. 7 of 1961 (75 Stat. 840) as amended by Pub. L. 91-469 (84 Stat. 1036); Department of Commerce Organization Order 10-8 (38 FR 19707, July 23, 1973).

SOURCE: 41 FR 50257, Nov. 15, 1976, unless otherwise noted.

§ 207.1 Purpose.

The purpose of this part is to identify the basic statistical data and reports required by the Maritime Subsidy Board (Board) in hearings held under section 605(c), Merchant Marine Act, 1936, as amended (Act), in regard to applications for operating-differential subsidy (ODS) under Title VI of the Act and to provide procedures for the production of these data and reports. Statistical data not expressly covered by this part are subject to subpart A of part 206 of this subchapter. There shall be no charge for the production of the basic statistical data and reports identified in this part.

§ 207.2 Basic statistical data.

(a) *Data and reports available.* The basic statistical data and reports that will be provided pursuant to § 207.3 of this part in regard to any hearing held by the Board under section 605(c) of the Act in connection with an application for ODS are as follows, with the accompanying “Notes” forming an integral part of each report: